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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1998 OF 1996

Pune Municipal Transport, Pune ... Petitioner

V/s.

Shri Fakkad Mahadeo Thube ... Respondent

Mr.R.G. Ketkar for Petitioner
Mr.N.A. Kulkarni for Respondent

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **JULY 3, 2007**

P.C.:

. This petition challenges the judgment of the Labour Court dated 19.12.1995. The Labour Court held that the Respondent who is a badli hangami rojandari workman must be treated as suspended when a 'No duty' order is issued. Consequently, subsistence allowance must be paid to the Respondent according to the Labour Court. By my judgment in *Transport Manager v/s. Vilas Deokar*, **2002 (94) FLR 772**, I have already held that a badli hangami rojandari workman who is issued a 'No duty' order cannot be considered to be suspended. No subsistence allowance would be payable to such a workman. In view of that judgment, the impugned decision of the Labour Court is set aside. Rule made absolute accordingly. No costs.